



General Assembly

January Session, 2007

Committee Bill No. 6242

LCO No. 3741

03741HB06242GAE

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT CONCERNING THE RECALL OF MUNICIPAL ELECTED OFFICIALS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2007*) (a) An elected official of a
2 municipality may be recalled by the electors of the municipality in
3 accordance with the provisions of this section.

4 (b) The Secretary of the State shall prescribe the form of recall
5 petitions and such petitions shall be available from the town clerk of
6 any municipality. The recall petition form shall include a space for the
7 name and office of the official whose recall is sought, a statement that
8 the purpose of the petition is to seek a referendum on the recall of said
9 official, a statement of instructions to persons circulating the petition,
10 lines for the signatures, street addresses and dates of births of persons
11 signing the petition, spaces for the time and date on which the
12 completed petition is filed with the town clerk and spaces for the
13 information required under subsection (d) of this section concerning
14 the circulation of the petition.

15 (c) A resident of any such municipality who is an elector may
16 initiate the recall of an elected official of the municipality by filing an
17 affidavit with the town clerk of the municipality stating the name of
18 said official and requesting recall petition forms. Upon such filing, the
19 town clerk shall issue recall petition forms to said resident. Any
20 resident of the municipality who is an elector may sign said petition.

21 (d) Each circulator of a recall petition page shall be a resident of said
22 municipality and an elector. Each separate page of such petition shall
23 contain a statement as to the authenticity of the signatures on the
24 petition and the number of such signatures, and shall be signed under
25 the penalties of false statement by the circulator of the petition page,
26 setting forth such circulator's address and attesting that each person
27 whose name appears on such sheet signed the same in person in the
28 presence of such circulator, that the circulator either knows each such
29 signer or that the signer satisfactorily identified the signer to the
30 circulator. Each separate sheet of such petition shall also be
31 acknowledged before an appropriate person as provided in section 1-
32 29 of the general statutes.

33 (e) Any person who signs a name other than the person's own to a
34 recall petition or who signs a name other than the person's own as
35 circulator of said petition shall be fined not more than one hundred
36 dollars or imprisoned not more than one year, or both.

37 (f) No petition for the recall of an official shall be effective unless
38 filed with the town clerk not later than four o'clock p.m. on the twenty-
39 eighth calendar day after the town clerk issues petition forms for such
40 recall under subsection (c) of this section. Upon the filing of a recall
41 petition, the town clerk shall sign and give to the person so submitting
42 a page or pages of such petition a receipt indicating the number of
43 such pages filed and the date and time when such pages were filed.
44 The town clerk shall forthwith transmit the petition to the registrars of
45 voters of the municipality who shall forthwith certify on each such
46 petition page the number of signers on the page who are electors in the

47 municipality. In the checking of signatures on recall petition pages, the
48 registrars shall reject any name if such name does not appear on the
49 last-completed active registry list in the municipality. The registrars
50 shall not reject any name for which the street address on the petition is
51 different from the street address on the registry list, if the person's date
52 of birth, as shown on the petition page, is the same as the date of birth
53 on the person's registration record. Each petition page shall contain a
54 statement signed by a registrar of voters of said municipality attesting
55 that the circulator is a resident of said municipality and an elector.
56 Unless such a statement by a registrar appears on each page so
57 submitted, the registrars shall reject such page. Any page of a petition
58 that does not contain a statement by the circulator as to the
59 authenticity of the signatures on the page, or upon which the
60 statement of the circulator is incomplete in any respect shall be rejected
61 by the registrars. The registrars shall also reject any page of a petition
62 they determine to have been circulated in violation of any other
63 provision of this section. The registrars shall complete their verification
64 of petition signatures and return the petition with their certifications to
65 the town clerk not later than seven calendar days after the petition is
66 filed with the town clerk.

67 (g) If, upon receiving a recall petition from the registrars of voters
68 under subsection (f) of this section, the town clerk determines that the
69 number of valid signatures on the petition is at least ten per cent of the
70 total number of electors whose names appear on the active registry list
71 of said municipality, (1) the town clerk shall forthwith certify the
72 petition and submit said certification to the legislative body of the
73 municipality, and (2) said legislative body shall, not later than seven
74 days after receipt of said certification, order a referendum to be held
75 on the recall of such elected official of the municipality not later than
76 thirty days after receipt of said certification.

77 (h) A recall referendum shall be conducted in accordance with the
78 provisions of chapter 152 of the general statutes and this section. The
79 form of the question to be used on the voting machine ballot labels and

80 absentee ballots at said referendum shall be "Shall (name of the official
81 and office) be recalled?" If, upon the official determination of the
82 results of such vote, a majority of all the votes cast are in approval of
83 the question, the elected official's office shall be vacant and shall be
84 filled in accordance with the applicable provision of state or municipal
85 law concerning the filling of vacancies in said office.

86 (i) The provisions of this section shall not apply to any municipality
87 for which state or municipal authority exists on the effective date of
88 this section for the recall of an elected official of the municipality.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2007	New section

Statement of Purpose:

To authorize municipalities to recall municipal elected officials.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. AYALA, 128th Dist.; SEN. GOMES, 23rd Dist.

H.B. 6242